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09/731,844	12/08/2000	Tatsu Inoue	Q62172	1820

EXAMINER	
CHOWDHURY, SUMAIYA A	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/731,844	Applicant(s) INOUE, TATSU	
	Examiner Sumaiya A. Chowdhury	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/17/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1, 3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl in view of Lemmons and further in view of Stas (6025869).

Regarding claims 1 and 3, Proehl discloses a program guide displaying apparatus (fig. 1) and corresponding method comprising:

a program guide information obtaining device (IRD 2, fig. 1; detail, fig. 2) for obtaining program information (col. 3, 11.18-44) including information indicative of a program name (title, col. 5, 1. 12), a genre name (category, col. 5, 11.13-14), a start time (col. 5, 1.12), a length of a program or an end time (col. 5, 1. 13), a broadcasting channel (col. 5, 1.2-4), and a broadcasting date (inherent where current date, col. 4, 11.63-66, and program start time, col. 5, 1.12, are known) of a respective one of a plurality of programs;

a program information displaying device (4, fig. 1) for displaying the program information for the programs on a first program table in a first display mode (6-hr. display, fig. 12), or on a second program table in a second display mode (1.5-hr. display, fig. 11) (col. 7, 11.50-55), which are exchangeable with each other (by user requesting an alternate level of detail, col. 7, 11.4-5),

wherein said program information displaying device displays the program information in such a manner that in the first display mode the programs are distinguishable from each other by icons set for respective statuses (attributes) of the programs (col. 7, 11.56-63) for a first time range (6-hr, fig. 12) on a time axis (horizontal, fig. 12) and a first channel range (10-ch., fig. 12) on a channel axis (vertical, fig. 12), and in the second display mode the programs are distinguishable from each other by at least program names (see fig. 11) for a second time range (1.5-hr., fig. 11) which is narrower than the first time range ($1.5\text{hr} < 6\text{-hr.}$) on the time axis (horizontal) and a second channel range (7-ch., fig. 11), which is narrower than the first channel range ($7\text{-ch.} < 10\text{-ch.}$) on the channel axis (vertical; fig. 11);

a table range displaying device for displaying on the second program table in the second display mode (1.5-hr. mode; fig. 11) surrounding a plurality of program cells (corresponding to programs airing on the times and channels depicted in fig. 11) which were displayed on the first program table (fig. 12) in the first display mode (6-hr. mode; the second program table, fig. 11, which is displayed in the second display mode, surrounds a plurality of program cells, all of which are on the first program table, fig. 12, displayed in the first mode);

a movement specifying device (remote control 5, fig. 1) for receiving an instruction to move the program table program range (operation buttons include north, south, east, and west buttons, col. 4, 11.56-61, the user can scroll the EPG horizontally or vertically, col. 5, 11.63-67); and

a moving device for moving the second program table program range to the first program table displayed in the first display mode, in response to the instruction received by said movement specifying device (col. 4, 11.56-61 and col. 5, 11.63-67),

wherein said moving device moves the second program table program range for a distance equivalent to a specified number of unit-time periods in a time axis direction (i.e., horizontal) and a specified number of channels in a channel axis direction (i.e., vertical) (where scrolling of the EPG in the horizontal and vertical directions inherently involves moving the program table a predetermined number of unit-time periods and/or channels),

wherein the program guide displaying apparatus further comprises a mode specifying device (button, col. 7, lines 2-10) for receiving an instruction to change the first display mode and the second display mode (col. 7, lines 2-12),

wherein the table displaying device changes between the first display mode (6-hr.) and the second display mode (1.5-hr.) in response to the instruction by received by the mode specifying device (col. 8, lines 2-8),

wherein the program names within the second program table are displayed in the second display mode (see fig. 11).

Proehl fails to explicitly disclose:

that the programs are distinguishable from each other by colors set for respective genres in the first display mode.

wherein the program information displaying device displays the program information which is specified by the program range on the second program table in the second display mode in response to the instruction received by the mode specifying device.

However, in an analogous art, Lemmons discloses the programs are distinguishable from each other by colors set for respective genres in the first display mode (col. 6, 11.57-67 and col. 7, 1.34 - col. 8, 1.5), thereby enabling the user to quickly identify programs matching a particular genre (col. 5, 11.19-30).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl to make the programs distinguishable from each other by colors set for respective genres, as taught by Lemmons, for the benefit of enabling the user to quickly identify programs matching a particular genre.

However, Proehl and Lemmons fail to teach:

wherein the program information displaying device displays the program information which is specified by the program range on the second program table in the second display mode in response to the instruction received by the mode specifying device.

In an analogous art, Stas teaches a user parent specifies the time range and channel range of the program guide to be displayed to the child. For instance, referring

to Fig. 9 & 10, the parent specifies to block out a time range and channel range from being displayed to the child – col. 9, line 40 – col. 10, line 65.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Proehl and Lemmons' invention to include the above mentioned limitation, as taught by Stas, for the advantage of customizing the display of the EPG to the user such that only the desired pertinent information is displayed.

As to claims 5 and 6, Proehl in view of Lemmons and Stas discloses the apparatus and method according to claims 1 and 3. In addition, Proehl discloses the first program table displayed on the first display mode (first level of detail) comprises the first time range and the first channel range and the second program table displayed on the second display mode (second level of detail) comprises the second time range and the second channel range (col. 7, 11.9-14), and wherein the second program table displayed on the second display mode corresponds to a subset of the first program table displayed on the first display mode (i.e., zooming in to a greater level of detail when transitioning from the first display mode to the second display mode results in a display comprising a subset of the channels and times displayed in the first mode, col. 7, 11. 13-25; see figs. 9 & 10).

4. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl in view of Lemmons and Stas and further in view of Takahashi (of record).

Proehl in view of Lemmons and Stas discloses a program guide displaying apparatus and method according to claims 1 and 3, wherein the table displaying device changes the program table range between display modes in response to instructions received by the mode specifying device, and wherein the program information displaying device displays the program information in the second display mode in response to the instruction received by the mode specifying device (see Proehl as applied to claims 1 and 3, above). Proehl in view of Lemmons and Stas fails to disclose a third display mode in which the program information is indicated as a popup display, as claimed. However, in an analogous art, Takahashi discloses a display mode for a programming guide in which program information is indicated as a popup display (TY, fig. 4B, col. 6, lines. 32-49), which is displayed at a vicinity of a program cell which is currently selected on the program table (within the same row of the display table as the cell that was selected, see fig. 4B & col. 6, 11.37-40) in a first display mode (see fig. 4A) and indicates information related to the program (e.g., title and summary, col. 6, 11.37-49) corresponding to the selected program cell (designated by KA), wherein the popup display is displayed at a position determined in correspondence with a position of the program cell (i.e., within the same row of the display table). Takahashi further discloses permitting the user to change to the popup display mode in response to receipt of a mode-specifying instruction ("explanation button", see figs. 6-7), and that the system enables the user to access a more detailed explanation of a selected program (col. 10, 11.58-64). Accordingly, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify the program guide displaying system of Proehl, Lemmons, and Stas to include a third display mode including a popup display of program information, and wherein the mode specifying device receives an instruction to change between the first and third display modes, as taught by Takahashi, for the benefit of providing the user access to a more detailed explanation of a selected program in a program guide displaying apparatus.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC


ANDREW Y. KOENIG
PRIMARY PATENT EXAMINER